

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

ORION CORPORATION,

CIVIL ACTION NO. 03:07-cv-05436 (MLC)(DEA)

Plaintiff/Counterclaim
Defendant,

v.

SUN PHARMACEUTICAL
INDUSTRIES, LIMITED,Defendant/Counterclaim
Plaintiff.

**ORDER GRANTING
PLAINTIFF/COUNTERCLAIM DEFENDANT
ORION CORPORATION'S MOTION FOR
JUDGMENT ON THE PLEADINGS DISMISSING
DEFENDANT/COUNTERCLAIM PLAINTIFF
SUN PHARMACEUTICAL INDUSTRIES,
LIMITED'S FIFTH COUNTERCLAIM
PURSUANT TO FED. R. CIV. P. 12(C)**

THIS MATTER having been opened to the Court by LeClairRyan, A Virginia Professional Corporation, counsel for Plaintiff/Counterclaim Defendant Orion Corporation ("Orion") upon Motion for Judgment on the Pleadings Dismissing Defendant/Counterclaim Plaintiff Sun Pharmaceutical Industries, Limited's ("Sun Ltd.") Fifth Counterclaim for failure to state a claim pursuant to Fed. R. Civ. P. 12(c) [D.I. 68], and the Court having heard Oral Argument on Monday, December 14, 2009, and reviewed all papers submitted in support of and in opposition to this motion, and for good cause shown:

IT IS ON this 22nd day of Dec., 2009;

ORDERED, that Orion's Motion for an Order dismissing Sun Ltd.'s Fifth Counterclaim for failure to state a claim pursuant to Fed. R. Civ. P. 12(c) is GRANTED; and

IT IS FURTHER ORDERED, that Sun Ltd.'s Fifth Counterclaim and corresponding Prayer for Relief (page 13, ¶ 7) [D.I. 22] are dismissed.


HON. MARY L. COOPER, U.S.D.J.

RECEIVED
DEC 22 2009

AT 8:30
WILLIAM T. WALSH
CLERK